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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SIX

THE PEOPLE,

Plaintiff and Respondent,

v.

MARK ANTHONY PEREZ,

Defendant and Appellant.

2d Crim. No. B295028
(Super. Ct. No. 2012037805)
(Ventura County)

A jury found Mark Anthony Perez guilty of being a felon in possession of a firearm (Pen. Code, § 29800, subd. (a)(1)) (count 1),¹ a felon in possession of ammunition (§ 30305, subd. (a)(1)) (count 2), and a felon in possession of ammunition (*ibid.*) (count 4).

The trial court suspended the imposition of sentence and placed Perez on 36 months' formal probation on various terms

¹ All statutory references are to the Penal Code.

and conditions, including that he serve 365 days in the county jail.

In Perez’s first appeal we noted deficiencies in the hearing on Perez’s motion to disclose prior instances of misconduct from sheriff’s deputies’ personnel records pursuant to *Pitchess v. Superior Court* (1974) 11 Cal.3d 531.

We conditionally reversed for a new *Pitchess* hearing. In all other respects, we affirmed. (*People v. Perez* (Aug. 23, 2018, B282528) [nonpub. opn.].)

On remand, the trial court conducted a new *Pitchess* hearing. The trial court again concluded there was nothing to be disclosed and ordered the transcript of the hearing sealed. In this appeal, Perez requests that we review the transcript of the in camera hearing, and determine whether the trial court abused its discretion in refusing to disclose information from the deputies’ personnel files. We have done so and there is no error or abuse of discretion.

The judgment is affirmed.

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GILBERT, P. J.

We concur:

YEGAN, J.

TANGEMAN, J.

Benjamin F. Coats, Judge
Superior Court County of Ventura

Susan S. Baugess, under appointment by the Court of
Appeal, for Defendant and Appellant.

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